

## WOOD, HERRON &amp; EVANS, L.L.P.

BRUCE TITTEL  
 DONALD F. FREI  
 DAVID J. JOSEPHIC  
 DAVID S. STALLARD  
 J. ROBERT CHAMBERS  
 GREGORY J. LUNN  
 KURT L. GROSSMAN  
 CLEMENT H. LUKEN, JR.  
 THOMAS J. BURGER  
 GREGORY F. AHRENS  
 WAYNE L. JACOBS  
 KURT A. SUMME  
 KEVIN G. ROONEY  
 KEITH R. HAUPP  
 THEODORE R. REMAKLUS  
 THOMAS W. HUMPHREY  
 SCOTT A. STINEBRUNER  
 DAVID H. BRINKMAN  
 BEVERLY A. LYMAN, PH.D.

OF COUNSEL  
 JOHN D. PÖFFENBERGER  
 THOMAS W. FLYNN

2700 CAREW TOWER  
 441 VINE STREET  
 CINCINNATI, OHIO 45202-2917  
 TELEPHONE: 513-241-2324  
 FACSIMILE: 513-241-6234  
 EMAIL: info@whepatent.com  
 PATENT, TRADEMARK, COPYRIGHT  
 AND UNFAIR COMPETITION LAW  
 AND RELATED LITIGATION

EDMUND P. WOOD 1923-1969  
 TRUMAN A. HERRON 1935-1976  
 EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN  
 C. RICHARD EBY  
 DAVID E. PRITCHARD  
 J. DWIGHT PÖFFENBERGER, JR.  
 KATHRYN E. SMITH  
 KRISTI L. DAVIDSON  
 P. ANDREW BLATT, PH.D.  
 DAVID E. JEFFERIES  
 WILLIAM R. ALLEN, PH.D.  
 JOHN PAUL DAVIS  
 DOUGLAS A. SCHOLER  
 BRETT A. SCHATZ  
 DAVID W. DORTON  
 SARAH OTTE GRABER  
 WESLEY L. STRICKLAND (VA, DC BAR ONLY)  
 STEVEN W. BENINTENDI, PH.D.  
 RANDALL S. JACKSON, JR.  
 TECHNICAL ADVISORS  
 HENRY M. LABODA, PH.D.

August 16, 2004

## FACSIMILE COVER SHEET

To: Examiner Dhirubhai R. Patel

From: Gregory J. Lunn

Fax: 571-273-1983

Re: Our File: BLGR-05CP1

Pages: 5 (including cover sheet)

## MESSAGE/COMMENTS

Attached please find the PTO-1449 for U.S. Patent Application Serial No. 10/658,546,

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

Sheet 1 (A) of 4

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE							ATTY. DOCKET NO. BLGR/05CP1	SERIAL NO. 10/658,546			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (37 CFR 1.98(b))		(Use several sheets if necessary)							APPLICANT Michael Vagedes				
									FILING DATE September 10, 2003		GROUP 2831		
U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER						ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	A.A	3	8	9	5	7	3	2	07/22/75	Robinson et al.			02/01/74
	A.B	3	9	0	6	1	4	5	09/16/75	Camichael			08/30/73
	A.C	4	0	3	6	3	8	9	07/19/77	Pate et al.			08/25/75
	A.D	4	2	2	6	3	9	3	10/19/80	Rardub et al.	173	58	
	A.E	4	3	2	3	7	2	3	04/08/82	Fork et al.			04/04/80
	A.F	4	3	2	7	8	4	1	05/04/82	Wimberly			10/17/80
	A.G	4	7	2	6	1	5	2	02/23/88	Vagedes et al.			11/24/86
	A.H	4	8	5	4	0	9	3	08/08/89	Kellom			09/02/88
	A.I	4	8	7	5	3	1	8	10/24/90	MacLeod et al.			05/10/88
	A.J	4	9	2	0	7	0	8	05/01/90	MacLeod et al.			05/05/89
	A.K	5	0	0	0	4	0	9	09/19/91	MacLeod et al.			12/04/89
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS													
		DOCUMENT NUMBER			PUBLICATION DATE		COUNTRY OR PATENT OFFICE		CLASS	SUBCLASS	TRANSLATION (YES/NO)		
	A.L												
	A.M												
	A.N												
	A.O												
	A.P												
	A.Q												
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	A.R												
	A.S												
	A.T												
EXAMINER								DATE CONSIDERED					
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.													

Substitute Disclosure Form (PTO-1449)

Sheet 2 (B) of 4

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE						ATTY. DOCKET NO. BLGR/05CP1	SERIAL NO. 10/658,546			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (37 CFR 1.98(b))		(Use several sheets if necessary)						APPLICANT Michael Vagedes				
								FILING DATE September 10, 2003		GROUP 2831		
U.S. PATENT DOCUMENTS												
EXAMINER INITIAL		PATENT NUMBER					ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	B.A	5	1	3	3	1	6	5	07/28/92	Wimberly		03/22/91
	B.B	5	2	2	1	8	1	4	6/1993	Colbaugh et al.	174	66
	B.C	5	3	2	6	0	6	0	07/05/94	Chubb et al.		04/18/94
	B.D	5	4	8	6	6	5	0	01/29/96	Yeltar		11/15/93
	B.E	5	5	4	9	2	6	6	08/27/96	Mitchell et al.		04/22/94
	B.F	5	5	7	7	7	0	2	11/26/96	Chubb et al.		12/30/94
	B.G	5	5	7	8	7	9	1	11/26/96	Bossa, Jr.		05/12/94
	B.H	5	5	9	8	8	7	0	02/04/97	Humphrey et al.		08/16/94
	B.I	5	7	2	2	2	0	B	03/03/98	Humphrey et al.		10/10/95
	B.J	5	7	7	5	0	3	2	07/07/98	Lacy		05/19/97
	B.K	5	8	0	4	7	6	4	09/08/98	Gretz		03/24/95
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS												
		DOCUMENT NUMBER			PUBLICATION DATE		COUNTRY OR PATENT OFFICE		CLASS	SUBCLASS	TRANSLATION (YES/NO)	
	B.L											
	B.M											
	B.N											
	B.O											
	B.P											
	B.Q											
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)												
	B.R											
	B.S											
	B.T											
EXAMINER							DATE CONSIDERED					
<p>EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant.</p>												

Substitute Disclosure Form (PTO-1449)

Sheet 3 (C) of 4

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. BLGR/05CP1	SERIAL NO. 10/658,546
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (37 CFR 1.98(b))		(Use several sheets if necessary)		APPLICANT Michael Vagedes	
				FILING DATE September 10, 2003	GROUP 2831

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER							ISSUE DATE	PATENTEE		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	C.A	5	9	2	0	0	3	3	07/08/99	Bosse, Jr.			10/16/96
	C.B	5	9	5	2	6	1	0	09/14/99	Bosse, Jr.			08/19/97
	C.C	5	9	6	5	8	4	4	10/19/99	Lippa	174	49	
	C.D	6	0	5	1	7	8	6	01/18/00	Gretz			01/03/98
	C.E	6	1	1	2	9	2	7	09/05/00	Gretz			11/12/98
	C.F	6	1	3	3	5	2	4	10/17/00	Bosse, Jr.			04/22/99
	C.G	6	1	4	1	9	2	2	11/07/00	Carlisle et al.			06/03/98
	C.H	6	1	8	8	0	2	2	2/2001	He	174	58	
	C.I	6	2	3	9	3	6	8	05/28/01	Gretz			01/17/00
	C.J	6	2	6	8	5	6	3	07/31/01	Gretz			08/13/99
	C.K	6	3	0	3	8	5	8	10/16/01	Bosse, Jr.			08/28/00

## FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	C.L						
	C.M						
	C.N						
	C.O						
	C.P						
	C.Q						

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C.R	
C.S	
C.T	

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Sheet 4 (D) of 4

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE						ATTY. DOCKET NO. BLGR/05CP1	SERIAL NO. 10/658,546			
		INFORMATION DISCLOSURE STATEMENT BY APPLICANT						APPLICANT Michael Vagedes				
		(Use several sheets if necessary)						FILING DATE September 10, 2003	GROUP 2831			
U.S. PATENT DOCUMENTS												
EXAMINER INITIAL		PATENT NUMBER					ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	D.A	6	3	1	0	2	8	7	10/30/01	Schiedegger et al.		06/29/99
	D.B	6	3	2	3	4	2	4	11/2001	He	174	58
	D.C	6	3	5	5	8	8	2	03/12/02	Gretz		02/23/01
	D.D	6	3	5	9	2	2	0	03/19/02	Schiedegger et al.		02/21/01
	D.E	6	4	1	7	4	4	7	07/09/02	Bosse, Jr.		10/10/01
	D.F	6	4	2	9	3	7	1	08/06/02	Schiedegger et al.		03/28/01
	D.G	D	3	4	5	8	2	5	02/01/94	Enderby		08/21/91
	D.H											
	D.I											
	D.J											
	D.K											
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS												
		DOCUMENT NUMBER	PUBLICATION DATE			COUNTRY OR PATENT OFFICE		CLASS	SUBCLASS	TRANSLATION (YES/NO)		
	D.L											
	D.M											
	D.N											
	D.O											
	D.P											
	D.Q											
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)												
	D.R											
	D.S											
	D.T											
EXAMINER						DATE CONSIDERED						
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.												

Substitute Disclosure Form (PTO-1449)